

EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

THIRD SECTION

DECISION

Application no. 19474/12
Dušan NOSKO and Others
against Slovakia

The European Court of Human Rights (Third Section), sitting on 15 January 2013 as a Committee composed of:

Luis López Guerra, *President,*
Ján Šikuta,
Nona Tsotsoria, *judges,*
and Marialena Tsirli, *Deputy Section Registrar,*

Having regard to the above application lodged on 26 March 2012,

Having regard to the formal declarations accepting a friendly settlement of the case,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

A list of the applicants is set out in the appendix. They are Slovak nationals living in Piešťany who were represented before the Court by M. Kuciaňová, a lawyer practicing also in Piešťany.

The Government of the Slovak Republic ("the Government") were represented by their Agent, Ms M. Pirošíková.

The applicants complained under Article 6 § 1 of the Convention about the length of civil proceedings before the Piešťany District Court registered under no. 7 D/165/2008. They further complained under Article 13 of the Convention and Article 1 of Protocol No. 1.

On 5 October and 15 November 2012 the Court received friendly settlement declarations signed by the parties under which the applicants

agreed to waive any further claims against Slovakia in respect of the facts giving rise to this application against an undertaking by the Government to pay to each applicant 2,800 euros to cover any pecuniary and non-pecuniary damage as well as costs and expenses. This sum will be free of any taxes that may be applicable and it will be payable within three months from the date of notification of the decision taken by the Court. In the event of failure to pay this sum within the said three-month period, the Government undertook to pay simple interest on it, from the expiry of that period until settlement, at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points. The payment will constitute the final resolution of the case.

THE LAW

The Court takes note of the friendly settlement reached between the parties. It is satisfied that the settlement is based on respect for human rights as defined in the Convention and its Protocols and finds no reasons to justify a continued examination of the application. In view of the above, it is appropriate to strike the case out of the list.

For these reasons, the Court unanimously

Decides to strike the application out of its list of cases in accordance with Article 39 of the Convention.

Marialena Tsirli
Deputy Registrar

Luis López Guerra
President

APPENDIX

1. Dušan NOSKO, born in 1952
2. Ľubomír NOSKO, born in 1948
3. Lýdia NOSKOVÁ, born in 1925